



**CITY COUNCIL MEETING
JULY 27, 2020- 7:00 PM
109 SOUTH KING STREET
DEPOT COMMUNITY ROOM**

MINUTES

PRESENT: James F. Palmer, Mayor
George R. Crowley, Mayor Pro Tem
Ray Mitchell Denmon, Councilman
Al Edwards, Councilman
Jacqueline Palazzolo, Councilwoman

ALSO: Paul Worley, City Administrator; Larry Vickery, Utilities Administrator; Sharon Nelson, City Clerk;
George Govignon, City Attorney; Lenny Nesbitt, Fire Chief; and Tony Pyle, Police Chief.

1. **Council Meeting Called to Order**
Welcome
Mayor Palmer called the meeting to order and welcomed everyone in attendance.
Invocation
Mayor Palmer gave the invocation.
2. **Pledge of Allegiance**
Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.
3. **Amendment or Approval of Proposed Agenda**
Councilman Edwards made a motion to approve the July 27, 2020 agenda as presented.
Councilwoman Palazzolo gave a second with all voting aye. Motion approved.
4. **Amendment or Approval of Minutes**
Mayor Pro Tem Crowley made a motion to approve the minutes of the City Council meeting of July 13, 2020. Councilman Denmon gave a second with all voting aye. Motion approved.
5. **Mayor's Comments**
None

6. Public Hearing and Comments

A. Announce at this time, public hearings will be held. The public will have the opportunity to make pro and con comments with a ten minute maximum time limit for each side of the matter, with each person speaking having filed a financial disclosure statement five days prior to the hearing if required, with each person giving their name and address. An inquiry should be made to determine if any elected official has filed a disclosure statement regarding ownership or special interest in any of the agenda items. Zoning Land Use Maps on display in Council Chambers for Zoning Advisory Board and Council hearings.

1) Application by Nance Carpet & Rug Company, Inc. to borrow funds from the City Revolving Loan Program (RLF).

- Mayor Palmer opened the public hearing.
- City Administrator Worley gave the report on legal requirements and notices stating that all had been met.
- Mayor Palmer opened the floor for comments. Mayor Pro Tem Crowley reported on the Revolving Loan Committee meeting stating that the Nance's were requesting to borrow \$500K, which will be guaranteed by them along with a second lien position on the property located at 103 N. Industrial Blvd. This money is for the purchase of a building and equipment. Job creation is estimated at 25-35 jobs. The applicants meet the 50% requirement with a loan from another institution and a personal contribution towards the purchase. The application and financial data were submitted to the committee and they recommend approval of the loan.
- Mayor Palmer called for comments from those in attendance. There being none, Mayor Palmer closed the public hearing and called for a motion concerning the RLF application.
- Mayor Pro Tem Crowley made a motion to accept the recommendation of the committee and approve the RLF application. Councilman Denmon gave a second with all voting aye. Motion approved.

7. Old Business

- A. Mayor Palmer gave the second reading of a variance request of 15 feet, varying from 25 feet to 40 feet, at a location of 260 West Belmont Drive (parcel C42-151) to erect a billboard for advertising purposes, by Gabe Freeman. The Zoning Advisory Board meeting will be held on August 6th and the public hearing will be held on August 10th.
- B. Mayor Palmer gave the second reading of an annexation and zoning request of R-1 for .69 acre, at a location of 262 Thornwood Dr. SE (parcel 056B-066), by Lyn W. McCracken. The Zoning Advisory Board meeting will be held August 6th and the public hearing will be held August 10th.
- C. Mayor Palmer gave the second reading of an annexation and zoning request of C-2 for 1.027 acres, at a location of 1229 Hwy 41 North (parcel 042C-154), by Larry Rhinehart. The Zoning Advisory Board meeting will be held August 6th and the public hearing will be held August 10th.

8. New Business

- A. Mayor Palmer gave the first reading of a beer package license at a location of 756 Highway 53 East, by Yarab Investment, Inc. The owner, Mohammad Asif will also serve as the store manager. Eligible for a public hearing August 24th. Mayor Pro Tem Crowley made a motion to set the public hearing for August 24th. Councilman Denmon gave a second with all voting aye. Motion approved.
- B. Mayor Palmer read a resolution with amendments to the Calhoun General Government Fee Schedule. Changes include incorporation of the FBI/GBI revised fee schedule for non-criminal justice fingerprint based criminal history record checks, to become effective August 2, 2020. This will increase the current fee from \$41.00 to \$43.25. Mayor Palmer stated that this is a pass-through fee charge by the GBI for non-criminal fingerprint processing. Councilman Edwards made a motion to approve the resolution. Councilwoman Palazzolo gave a second with all voting aye. Motion approved (copy attached).
- C. Mayor Palmer stated that the Calhoun City Board of Education had submitted a spending resolution authorizing the superintendent to expend funds from all funds for the month of August 2020 not to exceed one-twelfth (1/12) of the final amended budget for all funds for the fiscal year ended June 30, 2020, plus debt service and capital expenditures known to be due in August. He noted that this should be the last resolution prior to passage of the FY21 budget. Any additional resolutions would need to be approved by the State. Councilman Edwards made a motion to approve the August spending resolution. Councilwoman Palazzolo gave a second with all voting aye. Motion approved. The amended City School budget calendar has final adoption of the FY2021 budget scheduled for the August 10th City Council meeting.

9. Other Written Items Not on the Agenda

None

10. Work Reports

- A. Mr. Worley gave the General Government cash reports for the month ended June, 2020. He noted that the General Fund checking was down significantly from last month. This is due to the \$600K designated to the Renewal & Replacement specified funds to be used for construction of the new police department, the purchase of a new fire engine, and the paving project on W. Line Street and N. King Street. The 2011 SPLOST checking is \$1.4M and will draw down quickly, as heavy road construction is beginning on Peters Street, Phase II. Mayor Pro Tem Crowley made a motion to approve the cash report as presented. Councilman Denmon gave a second with all voting aye. Motion approved.
- B. Larry Vickery, Utilities Administrator, gave the Utilities cash report for the month ended June 30, 2020 stating that total operating revenues were \$4.8M and the grand total of operating revenues, savings and reserves was \$11.2M. Councilman Edwards made a motion to approve the cash report as presented. Councilwoman Palazzolo gave a second with all voting aye. Motion approved.
- C. George Govignon, City Attorney, had nothing to report.

11. Motion to move to Executive Session, if needed

None

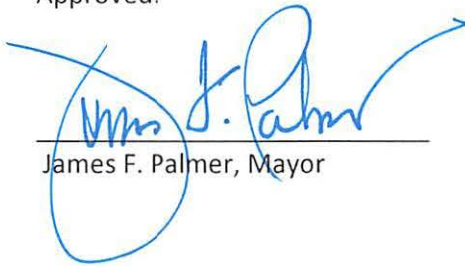
12. Motion to return to General Session

None

13. Motion to Adjourn

There being no further business to come before the Council, Mayor Pro Tem Crowley made a motion to adjourn. Councilwoman Palazzolo gave a second with all voting aye. The motion was approved and the meeting adjourned at 7:20 p.m.

Approved:


James F. Palmer, Mayor

Submitted:


Sharon Nelson, City Clerk



**SPENDING RESOLUTION
(August 2020)**

WHEREAS, the Calhoun City Board of Education for good and sufficient reason is unable to adopt a budget for the fiscal year beginning July 1, 2020, and ending June 30, 2021; and

WHEREAS, the public exigency is best served by authorizing the superintendent to continue to expend funds to continue operations.

NOW, THEREFORE, BE IT RESOLVED BY THE Calhoun City Board of Education that the superintendent may expend funds from all funds for the month of August 2020 not to exceed one-twelfth (1/12) of the final amended budget for all funds for the fiscal year ended June 30, 2020, plus debt service and capital expenditures known to be due in August.

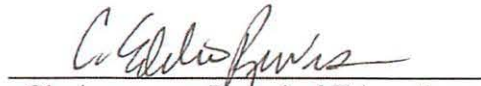
Adopted this 27th day of July 2020.

ATTEST:

ATTEST:



Superintendent/Secretary



Chairperson, Board of Education

**CITY OF CALHOUN, GEORGIA
FEE SCHEDULE RESOLUTION**

WHEREAS, the City of Calhoun has established a fee schedule in accordance with various ordinances; and

WHEREAS, it is necessary to amend the fee schedule from time to time;

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the City of Calhoun hereby adopt the following fee schedules, effective **July 1, 2020** and continuing thereafter until amended.

REGULATORY FEES:

1. **Building Permit Fees:**

a. **Residential – Single Family**

TOTAL VALUATION	FEE
\$1,000.00 or less	No fee unless inspection required, in which case a \$20.00 fee for each inspection shall be charged.
\$1,001.00 to \$2,000.00	\$35.00 per thousand or fraction thereof.
\$2,001.00 to \$15,000.00	\$35.00 for the first \$2,000.00, plus \$6.00 for each additional thousand or fraction thereof, to and including \$15,000.00.
\$15,001.00 to \$50,000.00	\$110.00 for the first \$15,000.00, plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.00.
\$50,001.00 to \$100,000.00	\$260.00 for the first \$50,000.00, plus \$4.00 for each additional thousand or fraction thereof, to and including \$100,000.00.
\$100,000.00 and up	\$425.00 for the first \$100,000.00 plus \$4.00 for each additional thousand or fraction thereof.

b. **Residential – Multi-family and Pool Permit Fees**

TOTAL VALUATION	FEE
\$1,000.00 or less	No fee unless inspection required, in which case a \$30.00 fee for each inspection shall be charged.
\$1,001.00 to \$2,000.00	\$30.00 per thousand or fraction thereof.
\$2,001.00 to \$15,000.00	\$30.00 for the first \$2,000.00, plus \$7.00 for each additional thousand or fraction thereof, to and including \$15,000.00.

\$15,001.00 to \$50,000.00	\$120.00 for the first \$15,000.00, plus \$7.00 for each additional thousand or fraction thereof, to and including \$50,000.00.
\$50,001.00 to \$100,000.00	\$340.00 for the first \$50,000.00, plus \$7.00 for each additional thousand or fraction thereof, to and including \$100,000.00.
\$100,001.00 to \$500,000.00	\$670.00 for the first \$100,000.00, plus \$5.00 for each additional thousand or fraction thereof, to and including \$500,000.00
\$500,001.00 and up	\$2,500.00 for the first \$500,000.00, plus \$4.00 for each additional thousand or fraction thereof

c. **Commercial, Industrial and Signs**

TOTAL VALUATION	FEE
\$1,000.00 or less	No fee unless inspection required, in which case a \$30.00 fee for each inspection shall be charged.
\$1,001.00 to \$50,000.00	\$55.00 for the first \$1,000.00, plus \$7.00 for each additional thousand or fraction thereof, to and including \$50,000.00.
\$50,001.00 to \$100,000.00	\$380.00 for the first \$50,000.00, plus \$5.00 for each additional thousand or fraction thereof, to and including \$100,000.00.
\$100,001.00 to \$500,000.00	\$600.00 for the first \$100,000.00, plus \$4.00 for each additional thousand or fraction thereof, to and including \$500,000.00.
\$500,001.00 and up	\$1,950.00 for the first \$500,000.00, plus \$4.00 for each additional thousand or fraction thereof.

- d. Where work for which a permit is required by the International Building Code is started or proceeded with prior to obtaining said permit, the fees herein specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work, nor from any other penalties prescribed herein.
- e. **Plan-checking Fees:** When valuation of the proposed construction exceeds \$1,000.00 and a plan is required to be submitted, a plan-checking fee shall be paid to the Building Official at the time of submitting plans and specifications for checking. Said plan-checking fee shall be equal to one-half of the building permit fee.
- f. Zoning Variance Fee: \$110.00

- g. Annexation Fees: \$110.00 fee for annexation and zoning change for tracts up to five acres that meet the criteria regarding boundary of existing city limit property. \$165.00 fee for annexation and zoning change for tracts more than five acres that meet the criteria regarding boundary of existing city limit property.
- h. The following fees are to be used when determining costs that should be charged to Developers for Engineering and Inspection services:

ENGINEERING AND INSPECTION SERVICE	FEE
Flow test fees for water lines	\$33.00
Engineering services for sanitary sewer lines, initial request	55.00
Plan review for water systems	165.00
Plan review for sanitary sewer system	275.00
Combination plan review for water system and sanitary sewer system	440.00
Plan review for sanitary sewer lift station	275.00

- i. Inspection costs will be based on the following:
 - 1) The City will use the developer's construction plans and approved construction schedule to calculate the up-front cost that must be paid for inspection inside the development. The inspection cost will be based on linear footage at a rate of \$0.07 per linear foot of water main and \$0.17 per linear foot of sanitary sewer main. This pricing is based on the ability of the developer's contractor to install an average of eight-hundred feet (800') of water main per day and three-hundred feet (300') of sanitary sewer per day.
 - 2) Inspection and testing fees for water and/or sanitary sewer mains along existing public rights of way installed by the City of Calhoun or the City of Calhoun's Contractor shall be included in the estimate and will be based on 17% of the cost of materials.
 - 3) Should the installation of water and/or sanitary sewer mains exceed the approved construction schedule, the inspection fees for the additional inspection time required for completion shall be based on a rate of thirty-three dollars (\$33.00) per hour. Delays due to weather conditions will be taken into consideration on a day to day basis.
 - 4) The inspection fees related to hydrostatic testing of water mains, low pressure air testing of sanitary sewer mains and vacuum testing of sanitary sewer manholes shall be charged as listed below:
 - a) Inspection of hydrostatic testing of water mains - \$66.00 per section (see Standard Specifications)
 - b) Inspection of low pressure air testing of sanitary sewer mains and vacuum testing of sanitary manholes - \$11.00 per section of sanitary sewer main (manhole to manhole) and \$11.00 per sanitary manhole.

2. **Grading Permit Fees:**

PERMIT TYPE	FEE
Residential	Minimum of \$55.00 up to 1 acre, plus additional acres at \$15.00 each.
Commercial	Minimum of \$110.00 up to 1 acre, plus additional acres at \$25.00 each.

3. **Schedule of Soil and Sedimentation Fees:**

- a. Minimum of **\$110.00** for up to five acres.
- b. Additional acres at **\$20.00** each.
- c. NPDES Permit Notice of Intent Fees: An additional **\$40.00** per acre (for one acre or greater) *Fee required per EPD*

4. **Schedule of Permit Fees for HVAC:**

- a. **Commercial and Industrial HVAC:** same as building permit fees for commercial and industrial. Additional inspections: **\$30.00** each.
- b. **Residential HVAC - \$100.00**

5. **Schedule of Permit Fees for Residential Plumbing:**

- a. **Residential Plumbing - \$100.00**
- b. **Commercial and Industrial - \$55.00** plus **\$5.00** for each plumbing fixture
- c. **Additional Inspections - \$30.00**

6. **Fire Inspection Fees:**

- a. Tank Inspections:

TANK SIZE	FEE
0 to 500 gallons	\$55.00 per tank
501 to 1500 gallons	\$83.00 per tank
1501 to 5000 gallons	\$110.00 per tank
Over 5001 gallons	\$138.00 per tank
<i>Any required inspections over four per site would require an additional \$55.00 fee.</i>	

- b. **Fuel Tank Removal Permit - \$110.00**
- c. **Fuel System Renovation or Repair** (Line replacement or other major work) - **\$110.00**
- d. When a contractor is required to submit and have approval from the **State Fire Marshall's office**, the City will require a copy of the stamped and approved plans before the permit can be issued. In addition, a set of approved plans must be kept on site.
- e. **Removal of Tanks – Inspection Required - \$ 55.00**
- f. **Burn Permit Fees - Burns are not authorized.** However, developers may request permits if State EPD and Georgia Forestry requirements are met and per city ordinance.
- g. **Inspection Fee -- \$110.00**

h. **Commercial and Industrial Sprinkler Permit**

TOTAL VALUATION	FEE
\$1,000.00 or less	No fee unless inspection required, in which case a \$55.00 fee for each inspection shall be charged.
\$1,001.00 to \$50,000.00	\$55.00 for the first \$1,000.00, plus \$6.00 for each additional thousand or fraction thereof, to and including \$50,000.00.
\$50,001.00 to \$100,000.00	\$325.00 for the first \$50,000.00, plus \$6.00 for each additional thousand or fraction thereof, to and including \$100,000.00.
\$100,001.00 to \$500,000.00	\$600.00 for the first \$100,000.00, plus \$6.00 for each additional thousand or fraction thereof, to and including \$500,000.00.
\$500,001.00 and up	\$2,800.00 for the first \$500,000.00, plus \$6.00 for each additional thousand or fraction thereof.

7. **Electrical Inspection Permit Fees:**

Fee	Amount	Notation
Administrative permit fee	\$15.00	(To be added to all permits)
Temporary connection fee	60.00	(For temporary service)
Re-inspection service fee	30.00	
Fee up to 100 amp service	55.00	(Plus administrative fee)
Fee for each 100 amp increment	45.00	(Plus administrative fee)

8. **Occupation Tax Schedule Based on Employees:**

Number of Employees	Price
1	\$ 75.00
2	148.00
3 to 5	275.00
6 to 9	500.00
10 to 19	825.00
20 to 29	1,100.00
30 to 49	1,250.00
50 to 99	1,650.00
100 to 199	2,070.00
200 to 399	2,800.00
400 to 499	3,165.00
500 to 750	3,900.00
Over 750	4,275.00

9. **Trash Pickup:**

a. **Commercial rates (cans or bags):**

Times per Week	Cost
1	\$ 16.25
2	24.50
5	48.70

b. **Residential Rates:** \$15.00 per month Residential Landfill Fee (Optional: \$7.00 per month “Extra Container Fee”)

c. **Housing Authority:**

\$3.25 per month, based on shared containers.

d. **Apartments** (more than 5 units) apartment owner to be billed for dumpster rental based on current rates.

Renters of apartments to be billed for pick up and disposal based on residential rates currently in force.

Apartments (less than 5 units) will be served with 95 gallon garbage containers and billed to renters based on current residential rates.

e. **Brush and debris pickup fee:** \$15.00 charge per month (brush picked up weekly)

10. **Septic Waste Disposal Permit Fees:**

a. \$75.00 maximum for 1,000 gallons.

b. Disposal tickets required prior to dumping at wastewater treatment facility, dumping only under supervised/regulated conditions.

c. Disposal tickets available for purchase at City Hall.

11. **Cemetery Fees and Purchase Price:**

a. Cemetery spaces will be sold for \$500.00 per space (4' x 12') at Fain and Chandler Cemeteries for City of Calhoun residents, with \$300.00 to be applied to the Cemetery Trust Account.

b. Burial Deed shall be issued by the City, executed by the Mayor and Clerk for spaces when full purchase price has been paid.

12. **Street Department Miscellaneous Fees:**

a. **Demolition of Condemned Property by City:** Cost plus 20%.

b. **Installation of Storm Drainage:**

1) Storm drainage will be installed on public right-of-ways only.

2) Residential, Commercial, Industrial: Shall be done by licensed contractor subject to City specifications.

c. **Utility Patching (City Streets):** A charge of \$140.00 per square yard for street patching due to damage by other utilities, developers, etc.

d. **Sidewalk Patching:** Shall be contractor responsibility.

e. **Sidewalk and Driveway Entrance:** Shall be done by licensed contractor subject to City specifications. Must obtain a permit from the City with a Permit fee of \$150.00. The permit fee covers the pre-inspections and post-inspection.

f. **Inspections for Construction of New Roads:** \$300.00 inspection fee, which includes six site inspections to ensure road is built to City specifications.

g. **Animal Control Fees:**

- 1) Adoption Fee:
 - a) Animals that have to be spayed/neutered...\$60.00
 - b) Animals already spayed/neutered.....\$25.00
- 2) Rabies Vaccination Certificate.....\$12.00
- 3) Boarding \$5.00 per day
- 4) pickup fee..... \$25.00
- 5) Animal surrender fee.....\$20.00
- 6) Animal Spay/Neuter Certificate.....\$85.00
- 7) Violations of code sections 14-42, 14-43, 14-44(e) and (f), 14-72, and 14-72, as defined in the Table of fines in Part II, Chapter 14, Section 14-83of the Calhoun Code of Ordinances:
 - a) Level I.....\$250.00
 - b) Level II.....\$500.00
 - c) Level III.....\$750.00

Violations of all other provisions of Chapter 14 of the Calhoun Code of ordinances:

- a) Level I.....\$150.00
- b) Level II.....\$300.00
- c) Level III.....\$450.00

13. **Annual Alcoholic Beverage License Fees:**

FEE TYPE	FEE
Beer Package	\$750.00
Beer Pouring	\$750.00
Brewery	\$500.00
Tap Room	\$500.00
Wine Package	\$750.00
Wine Pouring	\$750.00
Combination beer package & pouring at private club	\$1000.00
Liquor Package	\$5,000.00
Liquor Pouring	\$1,500.00
Wine/Beer Tasting	\$250.00
Wine/Beer Off-Premise Catering	\$100.00
Catering Per Event Permit	\$50.00
Multi-Purpose Theatre Per Event Permit	\$25.00
Outdoor Special Event Per Event Permit	\$100.00
Processing Fee per Alcohol Type	\$100.00
Fingerprinting Fee	\$28.00
Identification Cards	\$30.00
GCIC Processing Fee	\$43.25
Manager Change Application Fee	\$25.00

REGULATORY LICENSE FEES

14. **Amusements and Entertainments**

a. **Adult Entertainment Establishments**

- 1) At the time of submitting a adult entertainment establishment application, there will be a nonrefundable fee payable in cash or by certified check in the amount of \$300.00 to defray, in part, the cost of investigation and reports required by Chapter 10- Amusements and Entertainments of the Calhoun Code of Ordinances.
- 2) There shall be an annual regulatory fee for each adult entertainment establishment licensed within the City in the amount of \$1,500.00 if the adult entertainment establishment application meets all requirements of Chapter 10- Amusements and Entertainments.

b. **Entertainment Club License**

- 1) It is unlawful for any person to own, lease, operate, manage or maintain an entertainment club in the City of Calhoun without first obtaining an entertainment club license from the City in accordance with Chapter 10- Amusements and Entertainments of the Calhoun Code of Ordinances.
- 2) Payment of a fee of \$1,000.00 for the initial license, of which \$750.00 will be refunded if the license application is denied.

15. **Circuses, Carnivals and Public Exhibitions:**

a. **Definitions:** as used in this division, the following terms shall have the respective meanings ascribed to them:

- 1) **Carnival:** Amusement activities, rides, merry-go-rounds, booths for the conduct of games of skill, food dispensing and sideshows.
- 2) **Public Exhibition:** Circuses, menageries, sideshows, and other similar itinerant amusement enterprises which are open to the public and for admission to which fee is charged.

b. **License Required:** No person shall conduct or operate a circus, carnival, or public exhibition without having first obtained a license from the City Clerk.

c. **License Fees:** The business license fee imposed on each circus, carnival, or public exhibition operating within the City shall be \$100.00 for one inspection by police, fire, and electrical inspectors. Additional inspections will be \$33.00 for each separate inspection.

d. **Conditions of Issuance:** No license under this division shall be issued until the following conditions have been met:

- 1) The operator and sponsor of the circus, carnival, or public exhibition have each assumed full responsibility for maintaining order and for keeping the site clean and free of trash, papers, and other debris, and have placed trash containers in adequate number and in convenient locations for the use of the public;
- 2) The premises have been inspected by police, fire and electrical inspectors of the City and operators have exhibited a State license indicating compliance with State regulations.
- 3) The applicant has placed on file with the City Clerk, one or more certificates of insurance indicating there is in effect public liability insurance covering any damages arising out of the use and operation of any devices and facilities operated in connection with such carnival or exhibition. Such insurance shall be

in the minimum amount of one hundred thousand dollars (\$100,000.00) for each person, and three hundred thousand dollars (\$300,000.00) for each accident.

16. **Taxicab and Limousine Operators:**

- a. Each person who engages in the business of operating one or more taxicabs or limousines in the City shall obtain a license from the City Clerk.
- b. **Application – General:** Application for a license shall be made, and such application shall contain the following information in addition to general information:
 - 1) The experience of the applicant in the transportation of passengers;
 - 2) Any facts which the applicant believes tend to prove that public convenience and necessity require the granting of a license;
 - 3) The number of vehicles to be operated or controlled by the applicant and the location of proposed depots and terminals.
- c. **Review:** In considering whether to grant or deny a taxicab license to an applicant, for such license, the governing body shall take into account the number of taxicabs or vehicles already in operation; whether existing transportation is adequate to meet the public need; the probable effect of increased service on local traffic conditions; and the character, experience, and responsibility of the applicant.
- d. **Bond Required:**
 - 1) Before any license shall be issued for engaging in the taxicab or limousine business, the applicant for such license shall file with the City Clerk an indemnity bond for each vehicle authorized, in the amount prescribed by the governing body for bodily injury to any one person; in the amount so prescribed for injuries to more than one person which are sustained in the same accident; and in the amount so prescribed for property damage resulting from any one accident. Said bonds shall be executed by the applicant, as principal, and two (2) sureties upon which service of process may be made in the State and which shall inure to the benefit of any person who shall be injured or who shall sustain damage to property proximately caused by the negligence of the applicant, or applicant's servants or agents. The required bond schedule shall be on file in the office of the City Clerk.
 - 2) The City Council may, at its discretion, allow the applicant to file, in lieu of a bond, a liability insurance policy issued by an insurance company authorized to do business in the State, provided that such policy conforms to the provisions of this section relating to bonds. Minimum coverage of insurance on each vehicle is as follows:
 - Coverage in the amount of \$25,000 for bodily injury, per person;
 - Coverage in the amount of \$50,000 for bodily injury, per occurrence;
 - Coverage in the amount of \$25,000 for property damage.
- e. **Application Fee:** Each application for certificate of operation shall be accompanied by a nonrefundable fee of \$100.00 to cover administrative costs and cost of legal notices required.
- f. **License Fee:** The annual license fee for each person engaged in the business of operating taxicabs or limousines in the City shall be \$75.00, plus \$35.00 for verification of each driver and issuing individual driver's permits.
- g. **Driver's License and Permit Required:** No person shall operate a taxicab or limousine for hire upon the streets of this municipality and no person who owns or controls a taxicab shall permit it to be so driven, and no taxicab licensed under the provisions of this division shall be driven at any time for hire, unless the driver of said

taxicab shall have first obtained and shall have then in force a valid motor vehicle driver's license, issued by the State, and a valid taxicab driver's permit issued by the municipality, as provided herein.

- h. **Driver's Permit Application:**
 - 1) **Filing, etc.:** An application for a taxicab driver's permit shall be in writing, and filed with the City Clerk, and such application shall be verified under oath and shall contain the following information:
 - a) The names and addresses of four (4) references who will vouch for the sobriety, honesty, and general good character of the applicant;
 - b) The experience of the applicant in the transportation of passengers;
 - c) The educational background of the applicant.
 - 2) **Police Investigation of the Applicant:** The Chief of Police shall cause to be made an investigation of each applicant for a taxicab driver's permit. Such investigation shall be made to determine the moral character and fitness of the applicant, as well as the applicant's knowledge of the City and all traffic regulations therein. A report of such investigation and a copy of the traffic and police record of the applicant, if any, shall be attached to the application.
 - 3) **Consideration of application:** The City Clerk or Chief of Police shall, upon consideration of the application and the reports required to be attached thereto, approve or reject the application. If the application is rejected, the applicant may request a personal appearance before the governing body to offer evidence why the application should be reconsidered.
- i. **Provisional Driver's Permit:** Notwithstanding any other provision hereof, until such application for a taxicab driver's permit is formally acted upon by the governing body, a provisional taxicab driver's permit may be issued to such applicant by the City Clerk, upon approval of the Chief of Police, following a preliminary investigation into the driving record or history of said applicant, provided such applicant shall have and possess a valid motor vehicle driver's license issued by the State.
- j. **Persons Precluded from Obtaining Driver's Permit:** No individual shall be permitted to obtain a City permit to operate any taxicab or vehicle for hire who has been convicted of a crime involving moral turpitude, or having violated any law or ordinance dealing with, having, possessing, selling or drinking intoxicating liquor, wine or beer.
- k. **Forfeiture of Driver's Permit for Certain Acts:** Any person to whom a driver's permit has been granted to operate a taxicab or car for hire shall immediately forfeit the permit upon being found in possession of any intoxicating liquor, wine or beer, in any taxicab or car for hire which such person may have a license to operate, except where the same is found upon the passenger in a passenger's luggage or effects.
- l. **Issuance of Driver's Permit, Photograph:** Upon approval of an application for a taxicab driver's or vehicle for hire permit, the chief of police shall issue a permit to the applicant which shall be signed by the Chief of Police, and set forth the name, address, age and signature of the applicant. The Chief of Police shall procure or cause to be produced two (2) photographs of such applicant, one of such photographs to be retained by the Chief of Police in the files of the Police Department and the other to be attached to the taxicab driver's permit.
- m. **Display of Driver's Permit:** Every taxicab driver licensed under this section shall post such taxicab driver's permit in such a place as to be in full view of all passengers while such driver is operating a taxicab.
- n. **Duty of Driver to Comply with City, State and Federal Laws:** Every driver licensed under this division shall comply with all city, state and federal laws. Failure to do so

will justify the suspension or revocation of the taxicab driver’s permit or the vehicle for hire permit.

- o. **Designation of Taxicabs:** Each taxicab shall bear on the outside of each rear door and on the rear of the vehicle, in painted letters not less than three (3) inches high, the name of the company or individual owning or operating the vehicle and the work “taxicab” and, in addition, may bear an identifying design approved by the Chief of Police.
- p. **Receipts for Fares:** The driver of any taxicab shall, upon request by the passenger, render to such a passenger a receipt for the amount charged, either by a mechanically printed receipt or by a specially prepared receipt, on which shall be the name of the owner, license number or motor number, amount of the meter reading or charges, and the date of the transaction.
- q. **Accidents:** All accidents arising from or in connection with the operation of any taxicabs or vehicles for hire which result in death or injury to any person, or in damage to any vehicle or to any property in an amount exceeding the sum of five hundred dollars (\$500.00) shall be reported within twenty-four (24) hours from the time of occurrence to the Police Department.
- r. **Refusal of Passenger to Pay Legal Fare:** It shall be unlawful for any person to refuse to pay the legal fare of any taxicab after having hired the same, and it shall likewise be unlawful for any person to hire any taxicab with the intent to defraud the person from whom it is hired of the value of such service.
- s. **Limit on Number of Passengers:** All motor vehicles engaged in the transportation of persons for hire within the City shall carry no more than four (4) persons per seat in said motor vehicle at any one time, except, however, said motor vehicle may carry no more than three (3) persons, including the operator of the vehicle, on the front seat, or driver’s seat, at any one time.
- t. **Compliance with State Law Required:** All motor vehicles engaged in the transportation or persons for hire within the City shall be in compliance with all appropriate state laws and regulations covering said class of vehicles.

17. **Tattoo Artists:**

- a. Each person who engages in the business of operating one or more tattoo offices in the City shall obtain a license from the City Clerk.
- b. Application for a license shall be made and such application shall contain the following information: name, home address, location of business, telephone number, social security number, names and same personal information on employees, prior location, number of years in the business, list of types of equipment, copy of state permit or health permit (if required by any state office,) and prior criminal report if any.
- c. Applicant must register with the Police Department listing their name and location, and must notify its location changes within the City.
- d. Applicant must be located in an area designated (zoned) as a business area.
- e. Applicant must agree to meet all state and federal requirements.
- f. The annual license fee shall be one hundred dollars (\$100.00.)

18. **Shooting Galleries and Firearm Ranges:**

- a. Each person who engages in the business of operating one or more galleries or ranges within the City shall obtain a license from the City Clerk.
- b. Application for a license shall be made and such application shall contain the following information: name, home and business address,, telephone number, social security number, list of employees and same personal information as applicant, copy of state

license, copy of federal fire arms permit (if applicable,) and copy of liability insurance policy.

- c. Applicant must register with the Police Department, listing their name and business location. Applicant must notify the police of any change of location within the City. Applicant must file copies of all current state and federal permits. Applicant shall agree to police background check.
- d. Applicant must provide proper galleries and ranges designed to protect the public and participants, and must comply with all building, fire, plumbing and electrical codes.
- e. Galleries and ranges are to be located within areas zoned for business operations.
- f. Applicant must agree to meet all state and federal requirements.
- g. The annual license fee shall be one hundred dollars (\$100.00.)

19. **Scrap Metal Processors:**

- a. Each person who engages in the business of operating a scrap metal process in the City shall obtain a license from the City Clerk.
- b. Application for a license shall be made and such application shall contain the following information: name, home address, business address, telephone number, type zoning for business location and hours of operation.
- c. Location must meet all building, fire, electrical and zoning codes, and the noise level must be within required levels for the area and the type of operation.
- d. Materials located at the site must be processed and relocated within a maximum of thirty (30) days.
- e. Application and addresses of all parties who sell to the applicant should be available for police inspection at any time.
- f. Applicant must agree to meet all state and federal requirements.
- g. The annual license fee shall be one hundred dollars (\$100.00.)

20. **Pawnbrokers:**

- a. **License Required:** Each pawnbroker doing business within this municipality shall be required to obtain a license from the City Clerk in the manner specified.
- b. **License Fee:** The annual business license fee for each pawnbroker doing business in this City shall be \$400.00.
- c. **Review of Application:** no action on any application for a pawnbroker's license shall be taken by the governing body until the Chief of Police has reviewed such application and forward a recommendation thereon to the City Clerk in the manner specified.
- d. **Limitation of Issuance:** no pawnbroker's license shall be issued to any person who has been convicted of the offense of receiving stolen goods or of burglary or robbery.
- e. **Records:** each pawnbroker licensed hereunder shall furnish to the Police Chief each week a list of every article pledged with such pawnbroker or sold to such pawnbroker during the previous week, giving a full and accurate description of the article, from who it was received, and the hour of the day received.
- f. **Weapons:** no pawnbroker shall receive as a pledge or purchase any revolver, pistol, blackjack, or sawed-off shotgun, and no pawnbroker shall display in such pawnbroker's window or shop any such weapons for sale, without proper state and federal permits.
- g. **Minors:** no pawnbroker shall have any business dealings as a pawnbroker with a minor, nor shall a pawnbroker's license be issued to a minor, nor shall a pawnbroker employ a minor to assist in the business.
- h. **Stolen Goods:** it shall be the duty of every pawnbroker to report to the police any article pledged with the pawnbroker, or which is sought to be pledged with such

pawnbroker, if such pawnbroker shall have reason to believe that the article was stolen, or lost and found by person attempting to pledge it.

21. **Firearm Dealers:**

- a. Each firearm dealer doing business within the City of Calhoun shall be required to obtain a license from the City Clerk in the manner specified.
- b. License application and copies of federal and state licenses are to be filed with the City Clerk.
- c. Firearm dealers are to be registered with the City Police Department of Calhoun with copies of federal and state licenses to be filed. A criminal history is to be produced following written consent of applicant.
- d. Fingerprints and the past five years' firearm dealer history is to be filed with the Calhoun City Police Department.
- e. No action on any application for a fire arm dealer shall be taken until the governing body has reviewed the application and police report.
- f. No firearm license shall be issued to any person who has been convicted of a felony crime.
- g. The annual license fee for each firearm dealer shall be four hundred dollars (\$400.00.)
- h. A monthly report of the sales or trades of firearms are to be filed with the City Police Department for cross checking of stolen property locally and state wide.

22. **Peddlers:**

- a. **Definition:** any person, whether a resident of this city or not, traveling by foot, wagon, automotive vehicle, or any other type of conveyance from place to place, from house to house, from street to street, carrying, conveying, or transporting goods, wares, merchandise, meats, fish, vegetables, fruits, garden produce, farm products, or provisions, who offers and exposes the same for sale, or who, without traveling from place to place, sells or offers the same for sale from a wagon, automotive vehicle, railroad car, or other vehicle or conveyance.
- b. **Non-residents selling goods within the City are subject to the same regulations and license requirements as residents.** Any non-resident person engaged in soliciting and selling in the City any goods, wares, merchandise or commodities and delivering same, at time of sale by wagon, truck or other vehicle or manner, other than by public carrier in the usual course, shall be subject to the same license as prescribed and fixed in these ordinances for residents doing a like business in the City and subject to the same regulations and penalties as resident dealers.
- c. **License of Peddlers and Itinerant Merchants - - Requirements:** Each peddler and itinerant merchant who does business within this municipality shall obtain a license from the City Clerk in the manner specified.
- d. **Exemptions:** Section 12-122 shall not be applicable to traveling sales persons or nonresident merchants as provided in the Official Code of Georgia Annotated (O.C.G.A.) §48-5-354, nor to newspaper delivery persons or sales persons, nor to bona fide merchants who merely deliver goods in the regular course of business, nor to a bona fide charitable, religious or philanthropic organizations, nor to persons selling agricultural products or implements, or flower pots or jugs, as provided in O.C.G.A. §43-32-6.
- e. **License Application:** Application for a license shall contain the following additional information:

- 1) The places in the City where applicant proposes to carry on applicant's business and the length of time contemplated for the conduct of said business;
 - 2) The places within the last six (6) months, other than the permanent place of business of applicant, where applicant had conducted a transient business;
 - 3) A statement of the nature, character and quality of goods, wares or merchandise to be sold or offered for sale in the City by applicant; and
 - 4) A brief statement of the nature and character of any advertising done or proposed to be done in connection with the conduct of applicant's business.
- f. **Bond:** before any license shall be issued for engaging in a transient or itinerant business as provided in this section, the applicant shall file with the City Clerk a bond to the City in the sum prescribed by the governing body (\$500.00,) filed in the office of the City Clerk, executed by the applicant as principal, and two (2) sureties upon which service of process may be had in the state; said bond to be conditional upon the applicant complying fully with all of the provisions of the ordinances of this City and the statutes of the State regulating and concerning the sale of goods, wares and merchandise, and will pay all judgments rendered against applicant for any violation of said ordinances or statutes, together with all judgments and costs that may be recovered against applicant by any persons for damage growing out of any misrepresentation or deception practiced on any person transacting such business with such applicant, or applicant's agent or employee.
- g. **License Fees:** The business license for each peddler doing business in the City shall be thirty-five dollars (\$35.00.)
- h. **Exhibiting License:** all persons obtaining a peddlers license shall exhibit such license at the request of any citizen.
- i. **Magazine and Publication Solicitors - - License Required:** it shall be unlawful for any person to go door-to-door or to canvass the City soliciting subscriptions to any magazine, book, literature or publication of like nature without have first obtained a license from the City Clerk in the manner specified.
- j. **License Fee:** the fee for such license to peddle or solicit such subscriptions for literature shall be fifty dollars (\$50.00.)
- k. **Bond, Registration and Fingerprinting:** Before the City Clerk shall issue a license to sell, solicit, or canvass for such literature, the applicant for said license shall meet the following conditions:
- 1) **Bond:** applicant shall file or post a bond with the City Clerk in the amount prescribed by the governing body (\$1,000.00) and filed in the office of the City Clerk in the form of cash or a surety bond issued by a commercial insurance company registered with the Insurance Commissioner or Comptroller of the State and authorized to do business in the State, for each person desiring to sell, solicit or canvass for such literature.
 - 2) **Registration:** each person desiring to sell, solicit or canvass for such literature shall register such person's name and address with the City Clerk at least one week in advance of the date of such desired solicitation or canvassing.
 - 3) **Fingerprinting:** each person desiring to sell, solicit or canvass for such literature shall be fingerprinted by the Police Department prior to the issuance of such license.
- l. **Peddling in Streets:** It shall be unlawful for any person to display, advertise, offer for sale, or peddle any merchandise of any kind whatsoever, including perishable food items, from any contrivance or motor vehicle upon the public streets of the City, from

curb to curb, including the designated parking spaces located on said public streets between the curbs.

- m. **Soliciting in Streets:** in fundraising or solicitation, charitable or otherwise, the use of roadblocks or canvasses of vehicles upon the public streets of the City is prohibited. Under no circumstances may any person solicit funds from or distribute literature to occupants of any vehicles traveling upon the public streets of this City.
- n. **Stands, Contrivances for Street Sales – Permit Required:** it shall be unlawful for any person to erect stands or other contrivances to be used as a place to sell or advertise goods, wares or any other kind of merchandise or anything else on which a price would be asked, on any street, alley or other place controlled by the City, except by special permit of the governing body.
- o. **Advertising Sales in Public Places – Permit Required:** it shall be unlawful for any person to advertise any patent or proprietary medicine or any other article of merchandise of any kind upon the public squares, the public streets, alleys or other places in the City by lecture, special entertainment, concert or other like manner without first obtaining the written permission of the governing body.

23. **Hypnotists, Handwriting Analysts, Fortune Tellers:**

- a. Each hypnotist, handwriting analyst and fortune teller shall be required to obtain a license from the City Clerk in the manner specified.
- b. The application for each shall include the applicant’s past five years of professional activity and locations, in addition to the general information required.
- c. The applicant for a hypnotist, handwriting analyst or fortune teller shall file a notice of location with the City Police Department in addition to authorizing a criminal history report and fingerprinting.
- d. Applications and police information will be forwarded to the governing authority for review prior to authorizing a license.
- e. No license shall be granted to an applicant who has been convicted of a felony crime.
- f. An applicant will only be approved for a location in a commercial area.
- g. The fee for the license shall be one hundred dollars (\$100.00) for each location.

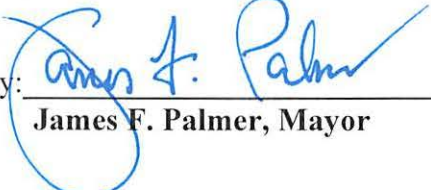
24. **Burglar and Fire Alarm Installers and Locksmiths:**

- a. Each burglar and fire alarm installer or locksmith shall be required to obtain a license from the City Clerk in the manner specified.
- b. The applicant shall file an application with the City Clerk. The application will include the past five years of professional activity in addition to general information.
- c. The applicant shall file a notice of the office location with the police department in addition to authorizing a criminal history report and fingerprinting. A list of employees, social security numbers and addresses shall be filed.
- d. Applications and police information will be forwarded to the governing authority for review prior to authorizing a license.
- e. No license shall be granted to an applicant who has been convicted of a felony crime.
- f. Each approved applicant shall file updated reports of new employees, their social security numbers and addresses with the Police Department.
- g. The fee for the license shall be one hundred dollars (\$100.00) for each location.

25. **Amusement Machine Owners – Regulated by the State of Georgia.** A regular business license is required by the City of Calhoun.
26. Returned check charge- \$35.00
27. If any section, sentence, clause, or portion of this resolution is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of the resolution.
28. Upon approval by the Mayor and City Council of the City of Calhoun, Georgia, this resolution shall become effective and will repeal all resolutions or parts of resolutions in conflict herewith.

ADOPTED this, 22nd day of June, 2020.

City of Calhoun, Georgia

By: 

James F. Palmer, Mayor

Attest:



Sharon Nelson, City Clerk